

REMARKS

Entry of the foregoing, reexamination and reconsideration of the above-identified application, pursuant to and consistent with 37 C.F.R. § 1.116, are respectfully requested.

By the present Amendment, Claims 71-73, 76 and 77 have been canceled without prejudice or disclaimer.

The Examiner rejected Claims 71-73, 76 and 77 under 35 U.S.C. §112, first paragraph, alleging that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. While Applicant disagrees with this allegation, Applicant has canceled Claims 71-73, 76 and 77 purely in an effort to expedite prosecution of this application. Applicant reserves the right to pursue the subject matter of the canceled claims in one or more continuation and/or divisional applications. In light of the foregoing, this rejection is now moot.

The Examiner also rejected Claims 1 and 63-77 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-62 of U.S. Patent No. 6,706,523 ("the '523 patent"). Applicant submits herewith a Terminal Disclaimer over the '523 patent. In light of the foregoing, withdrawal of this rejection is respectfully requested.

CONCLUSION

It is respectfully submitted that all rejections have been overcome by the above amendments and remarks. Thus, a Notice of Allowance is respectfully requested.

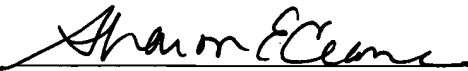
In the event that there are any questions relating to this Amendment and Reply After Final Rejection Pursuant To 37 C.F.R. § 1.116, or to the application in general, it would be appreciated if the Examiner would contact Applicants' undersigned attorney by telephone at (202) 373-6000 so that prosecution of the application may be expedited.

The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-4047.

Respectfully submitted,
BINGHAM MCCUTCHEN, LLP

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By:



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